

August 15, 2017

**IMLAY CITY COMMISSION  
150 N. Main Street  
IMLAY CITY, MI 48444  
REGULAR MEETING  
August 15, 2017**

**1. CALL TO ORDER**

Mayor Bargaen called the meeting to order at 7:00 p.m.

**2. PLEDGE OF ALLEGIANCE**

Mayor Bargaen led the Pledge of Allegiance.

**3. ROLL CALL**

Present: Mayor Walt Bargaen  
Commissioner Amy Planck  
Commissioner Al Ramirez  
Commissioner Robert Tanis

Commissioner Joi Kempf  
Commissioner Mike Romine

Absent: None

Also Present: City Manager Tom Youatt; Chief of Police Scott Pike; Code Enforcement Officer Dave Eady; Part-time Police Officer Cevin Brown; Police Department Administrative Assistant Melissa Anglebrandt; seven members of the community; and one member of the media.

**4. APPROVAL OF AGENDA**

**Moved** by Romine, seconded by Tanis, to approve the agenda with the following additions: 6.A. Chief Pike Staff Introductions, 7.C. Spicer Water Asset Management Plan Payment, and 7.D. Spicer Capital Improvement Plan Payment.

**MOTION CARRIED UNANIMOUSLY**

**5. APPROVAL OF CONSENT AGENDA ITEMS**

**Motion** by Romine, seconded by Kempf, to approve the following Consent Agenda Items as presented:

**A.** Payment of Bills - Payroll totaling \$107,093.44  
Accounts Payable and Trust & Agency totaling \$384,556.48

**ROLL CALL VOTE**

Ayes: Kempf, Romine, Ramirez, Tanis, Planck, Bargaen

Nays: None

**MOTION CARRIED 6 - YEAS; 0 – NAYS**

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## **6. CITIZENS FROM THE FLOOR**

### **A. Chief Pike Staff Introductions**

Chief of Police Scott Pike updated the Commission on the successful year the Police Department is having as both the Blueberry Festival and Eastern Michigan State Fair events went smoothly. Chief Pike stated the officers did a great job covering the events. Chief Pike noted that the Police Department is currently down two officers with Officer Brooks on indefinite medical leave with a serious condition and Officer Martin on Workers' Compensation with a minor injury requiring physical therapy prior to his return in a few weeks. Chief Pike then introduced new Police Department employees: Part-time Officer Cevin Brown; Code Enforcement Officer Dave Eady; and Police Department Administrative Assistants Melissa Anglebrandt and Diana Boyne.

Commissioner Ramirez welcomed the new employees and noted the wealth of experience they bring to Imlay City. City Manager Tom Youatt noted he was thankful to have the new hires onboard and he and Chief Pike could not have chosen better employees. Mayor Barga noted that the City is very proud of the Police Department.

### **B. Other Citizens from the Floor**

Alan Rosenbalm, Imlay City, relayed that he was sorry to learn of the injury and illness causing Officer Martin and Brooks to be on leave and wished them both a speedy recovery. Mr. Rosenbalm stated that he was glad to see that Dave Eady had been hired as the City's Code Enforcement Officer and noted he will be a major asset to the City. Mr. Rosenbalm then addressed the Commission regarding Blueberry Festival parking having an adverse effect on the downtown businesses, and he noted that if there are issues then the businesses need to bring those concerns to the Chamber of Commerce and then to the City Commission once a consensus is achieved.

## **7. OLD BUSINESS**

### **A. ROWE Services – Payment No. 4 – Improvements to Water System Control**

City Manager Tom Youatt presented a Contractor's Application for Payment No. 4 prepared by ROWE Professional Services Company for services performed by Boddy Construction Co. Inc. on the Meter Pit Project in the amount of \$64,400.13. Youatt noted this is the last major payment on this project, with only the 5% retainage of \$10,903.32 remaining to complete the punchlist items. Youatt reiterated to the Commission that this now allows the City to better monitor and time the water coming into the City, leading to more efficiency in water use and purchase. Mayor Barga noted this will allow for a delay of any water increases with Detroit purchased water.

**Motion** by Romine, seconded by Tanis, to approve the payment for construction services from Boddy Construction Co. Inc. for the Meter Pit Project in the amount of \$64,400.13, as presented.

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## **ROLL CALL VOTE**

Ayes: Romine, Ramirez, Tanis, Planck, Kempf, Bargaen

Nays: None

**MOTION CARRIED 6 - YEAS; 0 – NAYS**

## **B. Green Property Discussion**

**Moved** by Romine, seconded by Kempf, to remove the Green Property discussion from the table.

### **MOTION CARRIED UNANIMOUSLY**

City Manager Tom Youatt reported that he had reached out to Richard Nash, DEQ and Spicer Group for more information regarding the Green Property discussion since the last meeting. Youatt reported that the DEQ has no list of any municipality who has undertaken the program in this manner and estimates the application process to take 90 days, surpassing the September 30<sup>th</sup> fiscal year in which the funds are available. Youatt noted his concerns regarding the proposal that the City would up front General Fund dollars to this project, as those funds are needed and currently being utilized for projects underway and other projects soon to be identified through the Capital Improvement Plan process. Youatt then recommended utilizing a Brownfield consultant should the Commission move forward with the proposal and further recommended revisiting the proposal in the fall.

Richard Nash stated that he represents the property owners and has been responsible for securing \$300,000.00 in clean-up funds thus far. Mr. Nash stated that his DEQ contact indicated there is still time to apply for funds in the current fiscal year. Mr. Nash indicated he is willing to bond for reimbursement to the City for any assessment costs and noted he is invested in the community beyond financial ventures. Mr. Nash implored the Commission for approval to seek and capture DEQ grant funds for a baseline environmental assessment of the Green Property.

Mayor Bargaen inquired of Mr. Nash as to the planned development of the site. Mr. Nash indicated his plans for a strip mall with 4 to 5 non-offensive businesses. Mayor Bargaen noted that while the property has been an eyesore for the community for years, the prudent investment of City assets is not something that the Commission readily votes away. Mayor Bargaen stated these expenses are typically paid by the developer and the Commission will move more cautiously with this DEQ program that was just developed in April.

City Manager Tom Youatt recommended that more information be researched prior to a Commission decision on the matter. Youatt noted that he needed to clear up a couple of inconsistent issues such as the length of the application process and closure of the property. Mr. Nash reiterated that the property has closure with the State of Michigan, with conditions.

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**C. Spicer Water Asset Management Plan Payment**

City Manager Tom Youatt presented a payment request from Spicer Group for work performed on the Water Asset Management Plan in the amount of \$7,997.00. Youatt noted the project is moving along well and the DEQ requires that it must be completed by the end of the calendar year.

**Motion** by Romine, seconded by Tanis, to approve the Water Asset Management Plan Payment invoice for Spicer Group in the amount of \$7,997.00, as presented.

**ROLL CALL VOTE**

Ayes: Kempf, Romine, Ramirez, Tanis, Planck, Bargaen

Nays: None

**MOTION CARRIED 6 - YEAS; 0 – NAYS**

**D. Spicer Capital Improvement Plan Payment**

City Manager Tom Youatt presented the first payment request from Spicer Group for work performed on the Capital Improvement Plan (CIP) in the amount of \$2,880.00. Youatt noted the initial project meeting was held August 9, 2017 and the CIP is well underway.

**Motion** by Romine, seconded by Tanis, to approve the Capital Improvement Plan Payment invoice for Spicer Group in the amount of \$2,880.00, as presented.

**ROLL CALL VOTE**

Ayes: Romine, Ramirez, Tanis, Planck, Kempf, Bargaen

Nays: None

**MOTION CARRIED 6 - YEAS; 0 – NAYS**

**8. NEW BUSINESS**

**A. Proclamation for Marty Rankin**

Mayor Bargaen presented a proclamation recognizing Commissioner Marty Rankin for his service to Imlay City as a City Commissioner for over twenty years, serving also as Mayor and Mayor Pro-Tem.

**Motion** by Ramirez, seconded by Romine, to approve the proclamation for Marty Rankin.

**ROLL CALL VOTE**

Ayes: Ramirez, Tanis, Planck, Kempf, Romine, Bargaen

Nays: None

**MOTION CARRIED 6 - YEAS; 0 – NAYS**

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## **B. City Commission Vacancy**

City Manager Tom Youatt presented documentation from the City Charter regarding the process for filling of a commissioner vacancy and eligibility for office of City Commissioner. Youatt noted the Charter requirement to fill the vacancy within sixty days. Youatt then presented his recommendation for the process to fill the commissioner vacancy including advertisement in local newspapers, and whereby interested and eligible citizens would then submit a cover letter, resume and City application, in a similar fashion to the City's hiring process. Youatt suggested an application deadline of September 1, 2017, with interviews then held at a Special Meeting of the Commission at which the Commission would also select the new Commissioner. Youatt explained that this transparent process would produce the best possible candidate for the commissioner vacancy.

Commissioner Tanis inquired as to whether serving the partial term would count towards the limit of serving two consecutive terms. City Clerk Nicole Frost indicated that the partial term counts as a term when considering this Charter limitation.

**Motion** by Romine, seconded by Kempf, to approve the procedure for filling the commissioner vacancy, as recommended.

### **ROLL CALL VOTE**

Ayes: Ramirez, Tanis, Planck, Kempf, Romine, Bargaen

Nays: None

**MOTION CARRIED 6 - YEAS; 0 – NAYS**

## **C. Clerk Agreement with Almont Township for November Election**

City Clerk Nicole Frost addressed the Commission to seek approval of the agreement between herself and the Almont Township Clerk Carol Hoffner regarding the consolidation and migration of Almont Township voters to an Imlay City precinct for the November 7, 2017 general election. Clerk Frost explained that the migration of voters was requested by Almont Township as the sole issue on the ballot is an Imlay City Schools sinking levy proposal that only affects 151 Almont Township residents. Clerk Frost indicated that the additional voters would be taken on at no cost to the City and she would process absent voter ballots for the township as well. Clerk Frost stated that the consolidation and migration actions would need to be approved by the City's Election Commission and two commissioners would need to be appointed to make the Election Commission current.

**Motion** by Romine, seconded by Tanis, to approve the agreement between Imlay City Clerk Nicole Frost and Almont Township Clerk Carol Hoffner to consolidate and migrate Almont Township voters to an Imlay City precinct for the November 7, 2017 election.

### **MOTION CARRIED UNANIMOUSLY**

**Motion** by Romine, seconded by Tanis, to appoint Mayor Bargaen and Commissioner Planck to the standing Election Commission, with term to expire upon resignation.

**MOTION CARRIED UNANIMOUSLY**

**9. MANAGER'S REPORT**

Additional information was attached to the packet.

City Manager Tom Youatt presented the project schedule for the Scrap Tire Grant Project on Capac Road and Fairgrounds Road and informed the Commission that ROWE Professional Services Company would administer the project bid opening on September 11, 2017. Commissioner Ramirez inquired as to when Imlay Township was planning to undertake its Scrap Tire Grant Project on Fairgrounds Road. Youatt responded that Imlay Township is planning its project for 2018. Youatt presented the quarterly Point & Pay report for online payments, noting the strong utilization of this additional payment option by City residents. Youatt presented the three bids received for tree trimming and brush removal along the Polly Ann Trail in preparation for the LED lighting installation. Youatt reported that the Parks and Recreation Commission approved the \$800.00 bid from Raymond's Tree Inc. of Mayville. Youatt presented correspondence from Ruth Hughes Memorial District Library Director Tracy Aldrich regarding the recent Commission donation on behalf of Jack Rankin. Youatt presented email correspondence from the DNR regarding the appraisal process and timeline for Natural Resources Commission Director approval of City acquisition of DNR property. Youatt noted the kick-off of the Capital Improvement Plan Project and indicated that Department Heads are working to compile potential project details. Youatt announced that preliminary design plans for the M-53 Gateway Project are forthcoming and encouraged comment on the same.

Mayor Barga inquired as to whether a road diet would be implemented on Capac Road. Youatt responded that a road diet would be implemented along with the installation of bike lanes. Youatt also stated that, in conjunction with the Capac Road project, he is getting a price to mill and resurface Main Street from Old M-21 to Grove, as that section has really deteriorated.

Commissioner Ramirez inquired as to whether all three bidders on the Polly Ann Trail tree trimming and brush removal project had visited the project area. Youatt responded that all three bidders had walked the project area. Mayor Barga responded that the Parks and Recreation Commission was surprised by the range of bid results.

**10. OTHER BUSINESS**

Chief of Police Scott Pike addressed the Commission to relay he had just been informed of the passing of Officer Jeff Brooks, and he will inform the Commission of arrangements when known.

**11. ADJOURNMENT**

**Motion** by Tanis, seconded by Romine, to adjourn the meeting at 7:56 p.m.

**MOTION CARRIED UNANIMOUSLY**

Respectfully submitted by: Nicole F. Frost: \_\_\_\_\_

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City Clerk/Treasurer

Approved: September 5, 2017